

## **Weekly Report from R8**

### **This Week**

### **Weeks Ahead**

**EPA public notifications starting week of February 20, 2017 for proposed underground injection control (UIC) permits and aquifer exemption for the uranium in-situ recovery project near the Black Hills in South Dakota** - Region 8 will publish public notices and hearing information for proposed UIC permit approval actions for the Dewey Burdock uranium in-situ recovery project the week of March 6, 2017. The information will be published in several county and tribal newspapers, the Rapid City Journal, in Indianz.com and EPA Region 8 websites. Region 8 plans to provide advanced notification to the South Dakota Department of Natural Resources, Powertech (USA) Inc., and to tribes that originally requested formal consultation on the UIC permits. Region 8 is developing public service announcements for local radio stations in the area directing listeners to sources of additional information on the project and explaining to provide comments. These spots will be aired after public notice publication. Four hearings are tentatively scheduled near the project area from April 27 through May 11, 2017. Region 8 will also offer public information sessions prior to these hearings to help explain the permits and requirements. The comment period is scheduled to last through May 19, 2017.

**Montana Regional Haze Federal Implementation Plan Revision** - Region 8 is preparing a proposed revision to our federal implementation plan (FIP) addressing regional haze in the state of Montana for signature for issuance in mid-March 2017. Region 8 originally promulgated the FIP in September 2012 in response to the state's decision to not submit a Regional Haze state implementation plan (SIP). The proposed revision would: (1) relax a Best Available Retrofit Technology (BART) nitrous oxide (NO<sub>x</sub>) emission limit to reflect a 40 percent rather than 50 percent reduction in emissions for the Trident cement kiln, owned and operated by Oldcastle Materials Cement Holdings, based on new technical information collected by EPA; (2) correct an error to the Blaine County #1 Compressor Station's reasonable progress determination so that the source is no longer required to install pollution controls during the first planning period under the Regional Haze Rule; and (3) correct an error to the instructions for particulate matter (PM) compliance determinations in response to an industry comment that was inadvertently omitted from the final rule. Region 8's revised FIP must be effective before October 18, 2017, or Oldcastle will be in non-compliance with its current NO<sub>x</sub> BART limit. The state of Montana recently expressed an interest in implementing the Regional Haze Program beginning with the progress report for the first planning period due in September 2017. We are working closely with the state on these proposed FIP revisions in order to facilitate a smooth transition of the Regional Haze Program to them.

### **Outreach on 2017 Clean Water Act Section 404 Nationwide Permits Planned for Region 8 Tribes -**

In partnership with staff from the U.S. Army Corps of Engineers, Region 8 will provide information and technical assistance on the proposed 2017 Nationwide Permits to Region 8 tribes with Treatment in a Manner Similar to a State (TAS) authority for CWA water quality standards and CWA Section 401 water quality certification (certification) on February 22, 2017 via a webinar. With their TAS authority, the Assiniboine and Sioux Tribes, Northern Cheyenne Tribe, Ute Mountain Ute Tribe, Confederated Salish Kootenai Tribes, and the Blackfoot Tribe are responsible for providing certification or denials for permits that allow discharge into their waters. The proposed Corps of Engineers 2017 NWP's recently published in the Federal Register will be summarized during the webinar. Because Region 8 is responsible

for providing certification for 2017 NWP's on behalf of the other tribes in Region 8, Region 8 has sent an offer of consultation to the other 22 Tribes in Region 8.

**Approval of North Dakota's 2016 Clean Water Act §303(d) List** - Under the CWA, states submit Integrated Reports (IRs) including their list of impaired waters (CWA Section 303(d) lists) to the EPA on even numbered years. The Agency must review and approve the 303(d) lists within 30 days. North Dakota's final 2016 303(d) list was submitted to Region 8 for action on January 23, 2017. Region 8 is planning to approve North Dakota's final 2016 303(d) list on February 21, 2017.

**Award of targeted air shed grants to Utah** - Region 8 is anticipating the award of two Fiscal Year 2016 funded Targeted Air Shed grants to the Utah Department of Environmental Quality (UT DEQ) during the week of February 20. The two grants total \$4,954,500.00. Targeted Air Shed grants are competitive grants to reduce air pollution in nonattainment areas that the EPA determines are the top five most polluted areas relative to ozone, annual average fine particulate matter (PM<sub>2.5</sub>), or 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standards. The first grant will fund a diesel school bus replacement project. In the Cache County/Logan and Provo areas 33 school buses will be replaced. Of these replacement buses, 16 will be clean diesel and 17 will be propane. The second grant will be a vehicle repair and replacement project. This inspection and maintenance enhancing project will assist in the repair of vehicles that fail emission tests and the replacement of the dirtiest vehicles in the air shed with newer, cleaner vehicles. It is estimated that 370 vehicles will be repaired and 574 will be replaced. Potential outreach activities are being discussed with OCPI and OAR public affairs staff.